

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOSEPH WESELY	:	CIVIL ACTION
	:	
v.	:	
	:	
SUPERINTENDENT THERESA	:	
DELBALSO, ET AL.	:	NO. 20-992

**ORDER**

**AND NOW**, this 30th day of December 2021, upon careful and independent consideration of the Petition for Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2241, and all attendant and responsive briefing, and after review of the Report and Recommendation of United States Magistrate Judge Timothy R. Rice and consideration of Petitioner's Objections to the Report and Recommendation, and for the reasons set forth in the accompanying Memorandum, **IT IS HEREBY ORDERED** as follows:

1. Petitioner's Objections to the Report and Recommendation are **OVERRULED**;
2. The Report and Recommendation is **APPROVED** and **ADOPTED**;
3. The Petition for Writ of Habeas Corpus is **DENIED**;
4. There is no basis for the issuance of a certificate of appealability;
5. The Clerk shall **CLOSE** this case.

BY THE COURT:

/s/ John R. Padova

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John R. Padova, J.